

FORTY-NINTH DAY

(Wednesday, April 12, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Spears submitted the following report of the Committee on Criminal Jurisprudence:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 411, A bill to be entitled "An Act defining coloring matter and its composition, manufacture, sale and use in connection with citrus fruit; providing for the analysis of such coloring matter by the Commissioner of Agriculture and for the licensing of the manufacturers thereof; prescribing the form and amount of bond to be given by such manufacturers; prohibiting the use of harm-

ful coloring matter on citrus fruit; prescribing the maturity of fruit to which such coloring matter is applied; authorizing the Commissioner of Agriculture to issue rules and regulations pursuant to such Act; providing for the enforcement thereof by the Chief of Maturity Division and other agents of the Commission of Agriculture and fixing compensation of such Chief for so doing; providing for the inspection of citrus treated with coloring matter and assessing the cost of enforcing the Act against such fruit so treated; providing for the branding of fruit treated with coloring matter and containers in which it is shipped and prohibiting the application of unauthorized coloring matter to citrus fruit; declaring citrus which does not comply with the Act to be dangerous to public health and a public nuisance; providing penalties for violation of the Act and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Senator Brownlee submitted at this time the following reports of the Committee on Highways and Motor Traffic:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 881, by Burkett, A bill to be entitled, "An Act creating and establishing Callahan County Road District Number 1-A in Callahan County, Texas, under Article III, Section 52 of the Constitution of Texas for the purpose of the construction, operation, and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collec-

tion of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the District hereby created is also included in another Road District having outstanding bonds shall not affect the District hereby created or its powers hereby granted; determining that all of the lands in said District will be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other General or Special Laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 882, by Burkett, A bill to be entitled, "An Act creating and establishing Callahan County Road District Number 2 in Callahan County, Texas, under Article III, Section 52 of the Constitution of Texas for the purpose of the construction, operation, and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collection of a tax for the payment of principal and interest of said bonds; providing for

the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the District hereby created is also included in another Road District having outstanding bonds shall not affect the District hereby created or its powers hereby granted; determining that all of the lands in said District shall be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other General or Special Laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; repealing House Bill No. 349, Acts of the Forty-sixth Legislature; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Senator Aikin, by unanimous consent, submitted at this time the following report of the Committee on Education:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 868, A bill to be entitled "An Act validating the creation or attempted creation of all consolidated rural high school districts in this State, located in all counties having a population of not less than forty-eight thousand, five hundred and fifty (48,550) and not more than forty-eight thousand, five hundred and seventy (48,570), according to the last preceding Federal Census, and where such rural high school districts have a population of not less than two hundred and eighty (280) and not more than two hundred and ninety-five (295) scholastics, according to the last preceding scholastic enumeration; and providing all acts of the boards of trustees of such districts in such counties, ordering and holding elections, levying taxes, issuing bonds

and all tax assessments and rolls of such districts, and all bonds and all other actions by the boards of trustees in such districts, be in all things validated; providing this Act shall not apply to districts now involved in litigation; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senator Cotten submitted the following report of the Committee on Insurance:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

H. B. No. 626, A bill to be entitled "An Act amending Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature, as amended by House Bill No. 373, Chapter 264, page 651 of the Regular Session of the Forty-fourth Legislature, as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature; repealing all laws or parts of laws with reference to examination of organizations operating under House Bill No. 303, Acts of the Forty-third Legislature in conflict; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Senator Stone of Washington submitted the following reports of the Committee on Public Health:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 195, by Loggins, A bill to be entitled "An Act regulating the practice of chiropody; providing the terms of members of the Board of

Chiropody Examiners; prescribing their duties; providing for the examination and licensing of applicants to practice chiropody and the recording of licenses issued to chiropodists; providing for annual registration; providing grounds on which licenses may be suspended or revoked and the procedure to be followed in suspending or revoking same;"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STONE of Washington,
Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 191, by Dean et al., A bill to be entitled "An Act to provide for the chartering of non-profit corporations to be organized for the purpose of furnishing group hospital service, and to provide for the methods of operation, regulation and supervision of such corporations and of their contracts; providing exemption from Title 78 of the Revised Civil Statutes of 1925, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the Committee Substitute do pass in lieu of the original House Bill No. 191, and be printed.

STONE of Washington,
Chairman.

Senator Weinert submitted the following reports of the Committee on State Affairs:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 603, by Ferguson, A bill to be entitled "An Act granting permission to John Albert Jordan to bring suit against the State of Texas, etc.,"

Have had the same under consideration, and I am instructed to report it

back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 52, by McFarland and Bundy, Granting N. A. Moore permission to sue the State of Texas,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 69, by Bundy, Memorializing Congress of the United States to appropriate funds under Farm Forestry Acts,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 808, by Shell, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws passed at the Second Called Session of the Forty-second Legislature, relating to the appointment and compensation of County Auditors, etc.,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Senator Sulak submitted the following reports of the Committee on Agriculture:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

H. B. No. 888, A bill to be entitled "An Act defining coloring matter and its composition, manufacture, sale and use in connection with citrus fruit; defining other terms as used in this Act; providing for the analysis of such coloring matter by the Commissioner of Agriculture and for the licensing of the manufacturers thereof; making it unlawful to use any dye or color not certified by the United States Department of Agriculture; providing cost of analysis to be paid by manufacturer; providing formula to be furnished Commissioner; prescribing the form and amount of bond to be given by such manufacturers; prohibiting the use of harmful coloring matter on citrus fruit; prescribing the maturity of fruit to which such coloring matter is applied; etc.; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

H. B. No. 151, A bill to be entitled "An Act to license and regulate persons engaging in the business of constructing, reconstructing, repairing, altering, installing, or adjusting weights, scales, or weighing devices; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Com-

mittee Amendment No. 1, and be printed.

SULAK, Chairman.

Senator Pace submitted the following Reports of the Committee on Mining, Irrigation and Drainage:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 633, A bill to be entitled "An Act providing for the execution of an agreement to extend the Interstate Compact to Conserve Oil and Gas; prescribing the form of the agreement; prescribing procedure for withdrawal from the Compact; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 892, A bill to be entitled "An Act providing for the excluding of lands from water improvement districts and from water control and improvement districts where such land is not of such nature as to be subject to irrigation in a practicable manner, upon application of the owner of such land, by the Board of Directors of such district, with the consent of ninety-five (95) per cent of the bondholders holding bonds payable from taxes levied within such district, and provided a like amount of irrigable land is added to such district upon the application of the owner thereof at the time of excluding land not subject to irrigation in a practicable manner, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Senator Graves submitted the following report of the Committee on Privileges and Elections:

Austin, Texas,
April 11, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 722, by Dickison, et al., A bill to be entitled "An Act providing for the sum of money required for placing names on the primary ballot in certain counties; repealing all laws and parts of laws in conflict; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed.

GRAVES, Vice-Chairman.

Senator Van Zandt submitted the following reports of the Committee on Civil Jurisprudence:

Austin, Texas,
April 11, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 392, A bill to be entitled "An Act authorizing cities eligible under the terms of this Act to fund certain indebtedness outstanding on January 1, 1939; prescribing the method and procedure for issuance of funding bonds and warrants; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall be cumulative of all other acts but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

VAN ZANDT, Chairman.

Austin, Texas,
April 11, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 656, A bill to be entitled "An Act to amend Article 3334-3334a, Title 54 of the Revised Civil Statutes of Texas, Revision of 1925 as amended, by adding a Section to be known as Article 3334b; validating the acts of Probate Courts in certain cases; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VAN ZANDT, Chairman.

Austin, Texas,
April 11, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 359, A bill to be entitled "An Act to amend Article 5420 of the Revised Civil Statutes of Texas, 1925, by requiring that all suits under said Article and under Article 5419 of the Revised Civil Statutes of Texas, 1925, hereafter filed, be brought in the county in which the land involved or any part thereof may lie; providing that nothing in this Act shall affect or apply to any suit or suits now pending; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VAN ZANDT, Chairman.

Senator Hardin submitted the following reports of the Committee on Counties and County Boundaries:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 236, by Crossley and

Burkett, A bill to be entitled "An Act authorizing the Commissioners' Court in each county in this State having a population of not less than thirty-four thousand (34,000) nor more than thirty-four thousand two hundred (34,200), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the County; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 913, A bill to be entitled "An Act providing for more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having not less than forty-three thousand, one hundred and twenty-five (43,125), and not more than forty-three thousand, two hundred (43,200), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the General Law; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Coun-

ties and County Boundaries to whom was referred

S. B. No. 429, A bill to be entitled "An Act to amend H. B. No. 473, Section 1, Acts of the Forty-sixth Legislature, Regular Session, so as to fix the term of office of the County Purchasing Agent in all counties in this State having a population of more than one hundred and forty thousand (140,000) inhabitants and less than two hundred and ninety thousand (290,000) inhabitants, according to the last preceding Federal Census, and wherein is situated an incorporated city of more than one hundred and forty thousand (140,000) inhabitants, according to the last preceding Federal Census; providing that the salary of said County Purchasing Agent shall be fixed by the board composed of the Judges of the District Courts and the County Judge; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 853, by Harrell of Bastrop, A bill to be entitled "An Act providing for salary to be paid County Superintendent of Schools in certain counties; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 873, A bill to be entitled "An Act making provisions for sala-

ries of chief deputy in the office of Sheriff, Tax Collector and Assessor in certain counties; authorizing Commissioners' Court to pay salaries; providing mode and manner of paying salaries; repealing all laws and parts of laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Senator Lanning, by unanimous consent, submitted the following report of the Committee on Counties and County Boundaries:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 876, A bill to be entitled "An Act fixing the compensation for County Commissioners in certain counties; providing the manner of payment and prescribing the funds from which it shall be paid; repealing all laws or parts of laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Senate Bills on First Reading

Senator Roberts moved that the rule relative to the introduction of bills after the first sixty days of the Regular Session of the Legislature be suspended to permit him introducing a general bill at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kelley
Beck	Lanning
Brownlee	Martin
Collie	Metcalfe
Cotten	Moffett
Graves	Moore
Head	Nelson
Isbell	Pace

Redditt	Stone
Roberts	of Washington
Shivers	Sulak
Small	Weinert
Spears	Winfield
Stone	
of Galveston	

Absent

Burns	Lemens
Hardin	Van Zandt

Absent—Excused

Hill

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Roberts:

S. B. No. 427, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two-year period beginning September 1, 1939, and ending August 31, 1941, and for other purposes; and declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of any candidate or candidates for the head of such department and any public office and prescribing procedure for removal of such employees; and making it unlawful to use any State-owned automobile in connection with any campaign relating to any measures in which the particular department by which the employee is employed is directly interested and/or in behalf of the election or re-election of any person as the head of such department; and prescribing procedure and penalties for violation of this Act; and prescribing certain other regulations and restrictions in respect to the appropriations made herein, and declaring an emergency."

Referred to Committee on Finance.

Senator Aikin moved that legislative rule relative to the introduction of bills after the first sixty days of the Regular Session of the Legislature be suspended, to permit his introducing a general bill at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Pace
Beck	Redditt
Brownlee	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Head	Stone
Isbell	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield
Nelson	

Absent

Burns	Kelley
Hardin	

Absent—Excused

Hill

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Aikin:

S. B. No. 428, A bill to be entitled "An Act to amend Article 5790 of the Revised Civil Statutes of Texas, 1925, relating to the powers of the Adjutant General of the State of Texas; and declaring an emergency."

Referred to Committee on Military Affairs.

Senator Martin moved that the rule relative to the introduction of bills after the first sixty days of the Regular Session of the Legislature be suspended, to permit his introducing a general bill at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Roberts
Head	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston

Stone	Van Zandt
of Washington	Weinert
Sulak	Winfield

Absent—Excused

Hill

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Martin:

S. B. No. 429, A bill to be entitled "An Act to amend House Bill No. 473, Section 1, Acts of the Forty-sixth Legislature, Regular Session, so as to fix the term of office of the County Purchasing Agent in all counties in this State having a population of more than one hundred and forty thousand (140,000) inhabitants and less than two hundred and ninety thousand (290,000) inhabitants, according to the last preceding Federal Census, and wherein is situated an incorporated city of more than one hundred and forty thousand (140,000) inhabitants, according to the last preceding Federal Census; providing that the salary of said County Purchasing Agent shall be fixed by the board composed of the Judges of the District Courts and the County Judge; and declaring an emergency."

Referred to Committee on Counties and County Boundaries.

Senate Resolution 62

Senator Moffett offered the following resolution:

Whereas, There is at present a surplus of American grown cotton of approximately 14,500,000 bales, it being the largest surplus of cotton in the history of the United States, and

Whereas, Some of this great surplus at least, could be absorbed if and when the cotton gins of this State in particular, and the cotton South in general, would wrap their ginned cotton in cotton bagging instead of the present method, and

Whereas, The Texas Cotton Ginners' Association and the Texas Cooperative Ginners' Association whose membership, respectively, gin the great majority of the cotton processed in Texas, and

Whereas, These associations hold their annual meetings in Dallas, Texas, April 11, 12, 13, and 14, 1939; now, therefore, be it

Resolved, That the Texas Legisla-

ture respectfully request the Associations named to urge their memberships, and through them all other cotton ginners in the State of Texas to refrain from the use of any material other than cotton in the wrappings they use upon their customer's cotton, therein setting a worthy example for all cotton gins in the States which produce cotton, and in this manner demonstrating their loyalty to the cotton producers of the State and country, and be it further

Resolved, That the ginners' associations, having set the example of utilizing the value of cotton, then call upon the producers and consumers, and citizens generally, to "Use more cotton in any and every way possible," and be it further

Resolved, That official copies of this resolution be transmitted to the officials of these cotton ginners' associations.

The resolution was read; and on motion of Senator Moffett, and by unanimous consent, it was considered at this time, and was adopted.

Senate Resolution 63

Senator Redditt offered the following resolution:

Whereas, At the Second Called Session of the Forty-fifth Legislature, the Senate of Texas authorized by Senate Resolution No. 19 the placing of a portrait of Hon. Tom Connally, United States Senator from Texas, in the Senate Chamber; and

Whereas, The portrait of Senator Connally has been completed, and is ready for presentation; now, therefore, be it

Resolved by the Senate of Texas, That Tuesday, May 2, 1939, 11 o'clock a. m., be set aside for the presentation and acceptance of the portrait of Senator Connally; and be it further

Resolved, That the friends of Senator Connally be extended the courtesies and privileges of the floor at that time.

REDDITT,
STONE of Galveston,
MOORE,
COLLIE.

The resolution was read; and on motion of Senator Redditt, and by unanimous consent, it was considered at this time, and was adopted.

Senate Concurrent Resolution 36

Senator Pace offered the following resolution:

Whereas, The Senate desires to work on bills appearing on its local and non-contested calendar on Thursday afternoon, April 13, beginning at 2 o'clock, and

Whereas, There are a number of Senate bills that may be on said calendar; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Joint rules prohibiting consideration of Senate bills in the Senate on House bill days be suspended from 2:00 o'clock p. m. on April 13, 1939, until 1:00 o'clock a. m., April 14, 1939.

The resolution was read; and on motion of Senator Pace, by unanimous consent, it was considered at this time, and was adopted.

Session to Consider Local and Non-contested Bills

Senator Pace moved that the Senate hold a session tomorrow afternoon at 2:00 o'clock p. m. to consider local and non-contested bills in accordance with the provisions of Senate Resolutions 47 and 51, provided S. C. R. No. 36 is adopted by the House prior to that time.

The motion prevailed unanimously.

Committee Report on House Bill 194 Adopted

Senator Spears moved that the conference committee report on H. B. No. 194 (the barber bill), submitted on yesterday, be adopted.

The motion prevailed by the following vote:

Yeas—21

Aikin	Lemens
Brownlee	Metcalf
Burns	Moffett
Collie	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Roberts
Head	Spears
Hill	Stone
Kelley	of Galveston
Lanning	Winfield

Nays—7

Isbell	Small
Martin	Van Zandt
Moore	Weinert
Shivers	

Absent

Beck	Sulak
Stone	
of Washington	

House Bill 191 Re-referred

On motion of Senator Head, House Bill No. 191 was re-referred from the Committee on State Affairs to the Committee on Public Health.

Senate Bill 19 Set as a Special Order

Senator Burns moved that S. B. No. 19 be set as a special order for next Monday, April 17, 1939, immediately after the conclusion of the morning call on that day.

The motion prevailed by the following vote:

Yeas—20

Aikin	Martin
Beck	Moore
Brownlee	Pace
Burns	Redditt
Hardin	Roberts
Head	Shivers
Hill	Sulak
Isbell	Van Zandt
Kelley	Weinert
Lanning	Winfield

Nays—8

Collie	Moffett
Graves	Nelson
Lemens	Small
Metcalf	Spears

Absent

Cotten	Stone
Stone	of Washington
of Galveston	

House Bill 166 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 166, A bill to be entitled "An Act to amend Senate Bill No. 249, Chapter 122, of the General Laws passed by the Regular Session of the Thirty-eighth Legislature, and approved March 23, 1923, being Article 2797 of the Revised Civil Statutes of 1925, providing for the issuance of serial coupon bonds for school purposes; authorizing such bonds to be issued by the Board of Trustees of any city or town which has assumed the control of its public free schools, or shall hereafter as-

sume control thereof, where control of such schools is exercised through a Board of Trustees; providing for the calling and holding of election to authorize issuance of such bonds, and the issuance thereof in form and manner authorized in respect of independent school districts proper; providing for the levy and collection of tax necessary for the service of such bonds; providing that such bonds shall be the obligations of the city or town in its capacity as a school district proper and that any limitation in the amount of bonded indebtedness permitted such city or town contained in the charter of such city or town, or in other provision of law, general or special, shall not apply to the issuance of such bonds; repealing all laws and parts of laws, general and special, in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Winfield offered the following amendments to the bill:

(1)

Amend H. B. No. 166 as printed in the House by striking out all of lines 30, 31, 32 and 33 after the enacting clause on page 1.

(2)

Amend H. B. No. 166 as printed in the House by inserting in Section 1, page 1, line 35, after the word "district," and before the word "whether" the following:

"Located in any county having a population of not less than 120,000 and not more than 133,000 as shown by the last preceding United States Census."

(3)

Amend H. B. No. 166 as printed in the House by inserting after the word "town" and before the word "which" in Section 2, page 2, line 5 the following:

"Located in any county having a population of not less than 120,000 and not more than 133,000 as shown by the last preceding United States Census."

(4)

Amend H. B. No. 166 as printed in the House by striking from the caption thereof all of line 7, after the

words "an act" and all of lines 8 and 9 and all of line 10 except the word "providing," and by inserting in line 13 thereof after the word "town" and before the word "which" the following:

"Located in any county having a population of not less than 120,000 and not more than 133,000 as shown by the last preceding United States Census." And amend caption accordingly.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 166 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Head
Beck	Hill
Brownlee	Isbell
Burns	Kelley
Collie	Lanning
Cotten	Lemens
Graves	Martin
Hardin	Metcalf

Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield
Spears	

House Bill 882 Re-referred

On motion of Senator Collie, and by unanimous consent, H. B. No. 882 was re-referred from the Committee on State Affairs to the Committee on Highways and Motor Traffic.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on H. B. No. 194 by a vote of 103 ayes and 12 nays.

After reconsideration the House refused to concur in Senate amendments to H. B. No. 142 and has requested the appointment of a conference committee to consider the differences between the two Houses. The following are appointed as conferees on part of the House: Wood, Thornton, McNamara, McAlister, Morris.

The House has adopted the Conference Committee Report on H. B. No. 20 by a vote of 80 ayes, 43 noes.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Conference Committee on House Bill 142

Senator Pace called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 142.

Senator Pace moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Pace, Isbell, Redditt, Beck and Winfield.

Report of Standing Committee

Senator Metcalfe, by unanimous consent, submitted at this time the following report of the Committee on Military Affairs:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

S. B. No. 428, A bill to be entitled "An Act to amend Article 5790 of the Revised Civil Statutes of Texas, 1925, relating to the powers of the Adjutant General of the State of Texas; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

METCALFE, Chairman.

House Bill 97 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 97, A bill to be entitled "An Act to amend Article 2199 of the Revised Statutes, by adding thereto provision for reading from the Court Reporter's notes; repealing conflicting law, and declaring an emergency."

The bill was read second time.

Senator Moore offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 97 by striking out the following words in Section 1, between the first comma in line 6 and the first semicolon in line 7 of the bill: "if there be such reporter and his notes can be read".

(2)

Amend H. B. No. 97 by striking out the words "from and after its passage" in line 21 of the bill and in-

serting in lieu thereof the following: "on and after January 1, 1940".

The (committee) amendments were adopted severally.

On motion of Senator Moore, the caption of the bill was amended to conform to the body of the bill.

The bill was passed to third reading.

House Bill 97 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 739 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 739, A bill to be entitled "An Act to repeal Chapter 47, H. B. No. 110, Acts, First Called Session of the Forty-third Legislature, pertaining to the use of seines and nets in Red River County, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 739 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 739 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 657 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 657, A bill to be entitled "An Act providing the amount of salaries for the First Assistant to the Tax Assessor and Collector in cer-

tain Counties; providing for the salaries of Cashiers of such Assessor and Collector; providing for the salaries of all other Assistants and Deputies to such an officer; repealing all laws in conflict therewith to the extent of such conflict only; and declaring an emergency."

The bill was read second time.

Senator Hill offered the following amendments to the bill:

(1)

Amend the bill by striking out all after the enacting clause and inserting the following:

Section 1. That Article 3902 of the Revised Civil Statutes of 1925, together with all amendments thereto, be and the same is hereby amended by adding after Section 1, a new section to be known as Sub-section 1-A, to hereafter read as follows:

Article 3902, Sub-section 1-A. In counties having a population of 25,000 inhabitants or less, according to the last preceding Federal Census, and whose tax values exceed One Hundred Million Dollars, according to the last approved tax rolls, the First Assistant to the Tax Assessor and Collector and the First Assistant to the County Clerk shall each receive an annual salary of not to exceed \$3,000.00 per annum, and the Cashier to the Tax Assessor and Collector and the County Clerk shall each receive an annual salary of not to exceed \$2,400.00 per annum. The Tax Assessor and Collector shall designate in addition to the First Assistant and Cashier, two heads of departments, one to be in charge of assessing and one to be in charge of collecting in such counties, who shall receive an annual salary of not to exceed \$2,400.00 per annum, and any additional assistants, deputies or clerks to the Tax Assessor and Collector or the County Clerk shall receive an annual salary of not to exceed \$1,800.00 per annum.

Sec. 2. The fact that the present conditions existing in counties with large taxable values and having extra and unusual work in the Tax Assessor's and Collector's and County Clerk's offices necessitating unusual duties to devolve upon the office of

the Tax Assessor and Collector, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended and that this Act shall be in effect and be in full force from and after its passage, and it is so enacted.

(2)

Amend the bill by striking out the caption and inserting the following:

A BILL TO BE ENTITLED

An Act amending Article 3902 of Revised Civil Statutes of 1925 and all amendments thereto by adding thereto a new sub-section to be known as Sub-section 1-A; fixing compensation for assistants to the Tax Assessor and Collector and the County Clerk in certain counties, providing the manner in which same be paid, and declaring an emergency.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 657 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 657 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 469 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 469, A bill to be entitled "An Act to fix the salary of the Superintendent of Public Instruction in each County in Texas, having a population of not less than 29,750 nor more than 30,025, according to the last Federal Census; repealing all laws and parts of laws in conflict, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 469 on Third Reading

Senator Burns moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Head
Beck	Hill
Brownlee	Isbell
Burns	Kelley
Collie	Lanning
Cotten	Lemens
Graves	Martin
Hardin	Metcalf

Moffett
Moore
Nelson
Pace
Redditt
Roberts
Shivers
Small
Spears

Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin
Beck
Brownlee
Burns
Collie
Cotten
Graves
Hardin
Head
Hill
Isbell
Kelley
Lanning
Lemens
Martin
Metcalf
Moffett

Moore
Nelson
Pace
Redditt
Roberts
Shivers
Small
Spears
Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

House Bill 105 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 105, A bill to be entitled "An Act to preserve filed pleadings by making just and convenient regulations to such end, repealing all conflicting laws, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 105 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin
Beck
Brownlee

Burns
Collie
Cotten

Graves	Redditt
Hardin	Roberts
Head	Shivers
Hill	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield
Pace	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. B. No. 9, A bill to be entitled "An Act providing the method of making application to purchase or lease unsurveyed school land, commonly known as vacancies; providing for notice to those whose rights may be affected, and a public hearing; providing a limitation upon the time in which such application must be acted upon and in which suit may be filed to establish the same; validating long established lines and corners and providing for presumption of their correctness in trials involving location of boundaries, and attempts to locate vacancies between surveys long considered to adjoin; placing the burden of proof upon the party asserting such vacancy; giving a preference right to purchase such vacancy to the person or persons claiming the same in good faith regardless of the proximity of such land to wells producing oil or gas at a price dependent on whether or not such vacancy is excess land, and providing that such purchase shall be subject to certain mineral reservations as a free royalty to the State; fixing the time and conditions under

which such preference right to purchase may be exercised; repealing all laws or parts of laws in conflict herewith; providing that if a part of this Act shall be held unconstitutional such holding shall not affect the remainder hereof, and declaring an emergency" (with engrossed riders).

H. C. R. No. 91, Requesting return of House Bill No. 683 from the Governor's office.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bill on First Reading

The following bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 9, to Committee on Public Lands and Land Office.

House Concurrent Resolution 91

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 91, Recalling House Bill No. 683 from the Governor for correction.

The resolution was read; and by unanimous consent, it was considered at this time, and was adopted.

House Bill 863 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 863, A bill to be entitled "An Act making provisions in certain independent schools districts in this State, for an election to determine tax rate to be levied for payment of bonds and interest thereon; to determine tax rate for maintenance in such districts; providing for levy of such taxes; providing for aggregate amount of such levy; providing that when the bond tax exceeds the levy of fifty (50c) cents on the One Hundred (\$100.00) Dollar valuation, that the maintenance tax shall be reduced in an amount equal to the sum added to the bond tax; making this Act cumulative of all laws on the statute books in force as of this date, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 863 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 863 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 513 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 513, A bill to be entitled "An Act to amend Chapter 17, Special Acts of the First Called Session of the Forty-second Legislature, being

Senate Bill No. 44, permitting the seining of fish during the months of July, August and September of any years in Hunt, Kaufman and Rains Counties, and declaring an emergency."

The bill was read second time.

Senator Cotten offered the following amendment to the bill:

Amend House Bill No. 513 by striking out the words "Hunt" and "Rains" where same appears in said bill.

The amendment was adopted.

Senator Cotten offered the following amendment to the bill:

Amend House Bill No. 513 by striking out the word "Counties" where the same appears and insert in lieu thereof the word "County."

The amendment was adopted.

The bill was passed to third reading.

House Bill 513 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 513 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Colle	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Committee Substitute House Bill 95
on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

Committee Substitute H. B. No. 95, A bill to be entitled "An Act to amend Articles 5024, 5025, 5026, 5029, and 5032 of Chapter 20, Title 78 of the Revised Civil Statutes of Texas, 1925, relating to indemnity contracts by reciprocal or inter-insurance exchanges and to fix the extent of liability of subscribers at such exchanges and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Senator Small offered the following (committee) amendment to the bill:

Amend the Substitute for H. B. No. 95 by striking out all of Section 1 and substituting therefor the following:

Section 1. That Article 5025 of Chapter 20, Title 78, of the Revised Civil Statutes of Texas, 1925, be, and it is hereby, amended so as to read hereafter as follows:

"Art. 5025. Attorney for Subscribers.—Such contracts may be executed by a duly appointed attorney-in-fact duly authorizing and acting for such subscribers. The office or offices of such attorney may be maintained at such place or places as may be designated by the subscribers in the power of attorney.

Any person, firm or corporation may act as such attorney-in-fact, provided such attorney-in-fact shall make a good and sufficient fidelity bond acceptable to the Board of Insurance Commissioners of Texas and payable to subscribers at the exchange, or in lieu thereof, payable to the said Board of Insurance Commissioners, such bond to be in the sum of \$25,000.00 in the case of an individual or firm, and \$50,000.00 in the case of a corporation, which said bond shall obligate the principal and surety to pay such pecuniary loss, not exceeding the penalty of the bond, as the Exchange shall sustain of money or property by an act or acts of fraud, dishonesty, forgery, theft, embezzlement, wrongful abstraction or wilful misapplication on the part of the said attorney-in-fact directly or through connivance with others, and in the event of any violation of the conditions of said bond, the insurance supervisory authority of any state in which the attorney-in-fact is authorized to transact the business of the exchange may bring suit to enforce the penalty of the bond on behalf of the subscribers; provided, that a deposit with the proper lawful authority of the home State of such exchange of cash or securities of the kind in which general casualty companies may invest their funds, in like amount, conditioned, approved and payable in like manner, may be used in lieu of such bond."

STONE of Galveston,
SMALL.

Senator Small offered the following amendment to the bill:

Amend Committee Substitute to H. B. No. 95, page 2, line 16 to 18, both inclusive, by striking out the words: "Such exchanges shall be classified as unincorporated associations, and, for the purpose of service of process the attorney-in-fact is hereby classified as the general agent of such exchanges."

The amendment was adopted.

Senator Small offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 95, page 2, beginning with the words "such subscribers" in line 37, and concluding with the words

"classes of insurance" in line 43, by striking out the following words:

"Such subscribers at such exchange may provide by agreement that the premium or premium deposit specified in the policy contract shall constitute their entire liability through the exchange while, but only while, the free surplus of the reciprocal exchange is equal in amount to the capital stock required of a stock insurance company organized under the laws of the State of Texas transacting the same classes of insurance"—and substituting therefor the words:

"Such subscribers at such exchange may provide by agreement that the premium or premium deposit specified in the policy contract on all forms of insurance except life shall constitute their entire liability through the exchange while, but only while, the free surplus of the reciprocal exchange is equal to \$200,000;

Provided that if such exchange does not or is not applying to exchange Workmen's Compensation, Employers' Liability, or contracts providing indemnity against legal liability to third persons, except automobile, public liability and property damage which is not subject to the regulations of the Interstate Commerce Commission, the Railroad Commission of Texas, or other similar bodies in the various States, such exchange may provide by agreement that the premium or premium deposit specified in the policy contract shall constitute the subscriber's entire liability through the exchange while, but only while, it maintains a free surplus of not less than \$50,000 if only one kind of insurance is exchanged, with an additional \$10,000 of free surplus for each additional kind of insurance exchanged (including automobile public liability and property damage which is not subject to the regulations of the Interstate Commerce Commission, the Railroad Commission of Texas, or other similar bodies in the various states), but not more than \$100,000 surplus shall be required. . . ."

The amendment was adopted.

Senator Small offered the following amendment to the bill:

Amend Committee Substitute to House Bill No. 95, Section 2, Article 5026, Sub-section 4, lines 59 and 60, being Sub-section (d) by striking out the following words and figures:

"(d) It shall have on deposit with the Board a minimum of fifty thousand (\$50,000.00) dollars in securities; and"

The amendment was adopted.

Senator Small offered the following amendment to the bill:

Amend Section 4, Article 5029, page 4, line 3, by striking out the word "also" at the beginning of said line 8.

The amendment was adopted.

Senator Van Zandt offered the following amendment to the bill:

Amend the caption to conform to the changes in the bill.

The amendment was adopted.

The bill then was passed to third reading.

Committee Substitute for House Bill 95 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that Committee Substitute for H. B. No. 95 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Beck	Cotten
Brownlee	Graves
Collie	Hardin

Head	Roberts
Hill	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Metcalfe	Stone
Moffett	of Washington
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield

Nays—3

Aikin	Sulak
Burns	

Absent

Lemens	Moore
Martin	Spears

Senate Bills on First Reading

Senator Roberts moved that the rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a general bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Roberts:

S. B. No. 430, A bill to be entitled "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and to pay the per diem of members and

the per diem of officers and employees of the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

Referred to Committee on Finance.

Senator Roberts moved that the rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a general bill at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Roberts:

S. B. No. 431, A bill to be entitled "An Act relating to the salaries of all State Officers except those Constitutional State Officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Finance.

Bill Ordered Mimeographed

On motion of Senator Metcalfe, H. B. No. 9 was ordered mimeographed.

Report of Conference Committee on House Bill 374

Senator Nelson submitted at this time the following report of the Conference Committee on H. B. No. 374:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

and

Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on H. B. No. 374, have met and beg leave to recommend that said H. B. No. 374 be passed in the form hereto attached.

Respectfully submitted,

NELSON,
LANNING,
METCALFE,
BURNS,
COTTEN,

On the part of the Senate.

HARDEMAN,
BOND,
REAVES,
HEFLIN,
DICKISON,

On the part of the House.

H. B. No. 374.

A BILL TO BE ENTITLED

An Act providing for the holding of college entrance examinations; authorizing and directing the setting up of rules and regulations necessary thereto; providing for the setting up of the system of fees and for the depositing of the same in the General Fund; providing the manner in which said fees shall be set and making an appropriation; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. The State Superintendent of Public Instruction is hereby authorized and directed to provide for the holding of college entrance examinations throughout the State in the manner hereinafter stipulated.

Sec. 2. The State Superintendent of Public Instruction is hereby authorized and directed to set up such rules, regulations and administrative units necessary to the carrying out and holding of college entrance examinations. He shall keep such records, issue such receipts and make disbursements on forms and in such manner as may be prescribed by the State Auditor and Efficiency Expert.

Sec. 3. The State Superintendent of Public Instruction is hereby au-

thorized and directed to set up a system of fees not exceeding One Dollar (\$1.00) for any four (4) subjects taken in said examinations, to employ such labor, purchase such materials and provide all necessary expenses to the complete handling of the administrative duties. All fees collected under this Act shall be placed by the State Superintendent of Public Instruction in the General Fund of the State. The examinations herein provided for shall be held in the counties of the residences of the persons desiring to take such examinations.

Sec. 4. The fees collected by the State Superintendent of Public Instruction shall be based by the State Superintendent of Public Instruction upon the actual cost for the preceding year of the administration of this Act not to exceed One Dollar (\$1.00) for any four (4) subjects taken in said examination.

Sec. 5. There is hereby appropriated out of the General Fund of the State of Texas, not otherwise appropriated, so much money as is necessary to administer this Act from and after its passage for the remaining biennium of 1938-1939 not to exceed the sum of Six Hundred Dollars (\$600.00) and for the regular biennium September 1, 1939, to September 1, 1941, so much as may be necessary to administer this Act not to exceed the sum of Six Hundred Dollars (\$600.00) for the fiscal year 1940 and Six Hundred Dollars (\$600.00) for the fiscal year 1941.

Sec. 6. The fact that some Twelve Hundred (1,200) children desire to take these examinations along with various adult citizens of Texas to secure college entrance and the fact that at the present time the Attorney General's opinion requires the funds to be deposited in the State Treasury and no method is satisfactory for withdrawing said funds from the State Treasury creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage and said rule is hereby suspended, and it is so enacted.

Question — Shall the report be adopted?

The report was adopted by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Motion to Set Senate Bill 8 as a Special Order

Senator Head moved that S. B. No. 8 be set as a special order for next Tuesday, April 18, 1939, immediately after conclusion of the morning call on that day.

The motion was lost by the following vote:

Yeas—13

Aikin	Kelley
Beck	Martin
Brownlee	Redditt
Burns	Roberts
Graves	Stone
Head	of Washington
Hill	Sulak

Nays—15

Collie	Nelson
Cotten	Pace
Isbell	Shivers
Lanning	Small
Lemens	Stone
Metcalf	of Galveston
Moffett	Van Zandt
Moore	Winfield

Absent

Hardin	Weinert
Spears	

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. J. R. 4, Proposing an amendment to Article V of the Constitution of the State of Texas giving the Legislature authority to provide for appeal direct to the Supreme Court in cases involving injunctions granted or denied on the grounds of constitutionality or unconstitutionality of any statute or on validity or invalidity of administrative orders; providing for the submission of this amendment to the voters of this State; and providing for the necessary proclamation and expenses of publication. (with amendments.)

Respectfully submitted,

E. R. LINDLEY, Chief Clerk,
House of Representatives.

Conference Committee on H. B. 517

Senator Lemens called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 517.

Senator Lemens moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Lemens, Shivers, Nelson, Stone of Washington, Hardin.

Conference Committee on H. B. 813

Senator Lemens called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 813.

Senator Lemens moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Lemens, Metcalfe, Winfield, Graves and Moffett.

Bills and Resolutions Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

H. B. No. 74, "An Act creating a State Bar, constituting it an administrative agency of the judicial department of the State, defining the powers thereof, prescribing the membership thereof, and prohibiting those not members from practicing law; empowering the Supreme Court to adopt and promulgate rules and regulations for the admission to the practice of law, disciplining, suspending, and disbarring attorneys at law; for the conduct of the State Bar; prescribing a code of ethics governing the conduct of the members; prescribing and limiting the fees to be paid by members; preserving the right of trial by jury in disbarment proceedings; providing for repeal of all laws in conflict, and declaring an emergency."

H. B. No. 720, "An Act to amend Article 4595, Title 73 of the Revised Civil Statutes of Texas, 1925, relating to sales to satisfy liens of hotel and boarding house proprietors and innkeepers, and declaring an emergency."

H. C. R. No. 87, Correcting enrolled copy of H. B. No. 310.

H. C. R. No. 88, Correcting enrolled copy of H. B. No. 444.

H. C. R. No. 44, Granting Charley Prewett, et al., permission to sue the State.

H. B. No. 310, "An Act amending S. B. No. 170, Chapter 253, Acts of the Forty-second Legislature, Regular Session, pages 420-421, being Article 6203e of the Revised Civil Statutes of the State of Texas, providing for the establishment of the State Prison Psychopathic Hospital as a part of the Prison System of the State of Texas, and providing who may be committed thereto, and providing for the commitment to said institution of certain dangerous insane patients in the State Hospitals, providing a saving clause, and declaring an emergency."

S. B. No. 69, "An Act withdrawing from appearing party review in Court of Civil Appeals by means of writ of error; and declaring an emergency."

H. B. No. 444, "An Act to be entitled an amendment to Section 1, Article 306, Fur Bearing Animal Laws as passed by Acts of Regular Session, Forty-fifth Legislature [applying to Hunt and Denton Counties]."

S. B. No. 216, "An Act to amend Section 17, House Bill No. 68, Chapter

3, Acts of the Regular Session of the Forty-fourth Legislature, as amended by S. B. No. 332, Chapter 123, Acts of the Regular Session of the Forty-fifth Legislature, so as to extend the time of existence of the Special District Court of Smith County, Texas, and declaring an emergency."

Recess

On motion of Senator Collie, the Senate, at 12:05 o'clock p. m., took recess to 2:00 o'clock p. m. today.

Afternoon Session

The Senate met at 2:00 o'clock p. m. and was called to order by the President.

Reports of Standing Committees

Senator Roberts, by unanimous consent, submitted at this time the following report of the Committee on Finance:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 427, A bill to be entitled "An Act making appropriation for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two-year period beginning September 1, 1939, and ending August 31, 1941, and for other purposes; and declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of any candidate or candidates for the head of such department and any public office and prescribing procedure for removal of such employees; and making it unlawful to use any State-owned automobile in connection with any campaign relating to any measures in which the particular department by which the employee is employed is directly interested and/or in behalf of the election or re-election of any person as the head of such department; and prescribing procedure and penalties for violation of this Act; and prescribing certain other regulations and restrictions in respect to the appropriations made herein, and declaring an emergency,"

Have had the same under consideration and I am instructed to report

it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 430, A bill to be entitled "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and to pay the per diem of members and the per diem of officers and employees of the Regular Session of the Forty-sixth Legislature, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

ROBERTS, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 431, A bill to be entitled "An Act relating to the salaries of all State Officers except those Constitutional State Officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

ROBERTS, Chairman.

Senator Brownlee, by unanimous consent, submitted at this time the following report of the Committee on Highways and Motor Traffic:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 224, A bill to be entitled "An Act amending Section 6 of Article 911b, Title 25 of the Revised Civil Statutes of the State of Texas, 1925, as amended, by adding a new section to Section 6 to be known as Section 6 (f); by providing for the sale and transfer of contract carrier permits issued under the provisions of this Section of the Act; by providing the method and manner of transferring said contract carrier permit; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROWNLEE, Chairman.

Senator Hill, by unanimous consent, submitted at this time the following report of the Committee on Criminal Jurisprudence:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 211, A bill to be entitled "An Act to repeal Section 1 of H. B. No. 993, Chapter 446, enacted by the Forty-fifth Legislature, relating to the trial of insane persons charged with crime and providing for the commitment of such persons to a State Hospital for the Insane, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HILL, Chairman.

Senator Hardin, by unanimous consent, submitted at this time the following report of the Committee on Counties and County Boundaries:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 533, by Harrell of Lamar, and Wells,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 906, A bill to be entitled "An Act authorizing the Commissioners' Court of any county having a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, six hundred (38,600) inhabitants and in any county in this State having a population of not less than seventeen thousand, five hundred and fifty (17,550) and not more than seventeen thousand, five hundred and sixty (17,560) inhabitants according to the last preceding Federal Census, to allow each County Commissioner the sum of Thirty-five Dollars (\$35) per month for traveling expenses; providing for the source of payment of such expenses; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Senator Lemens, by unanimous consent, submitted at this time the following report of the Committee on State Institutions and Departments:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Institutions and Departments to whom was referred

H. B. No. 539, A bill to be entitled "An Act amending Article 3259 of the Revised Civil Statutes of Texas of 1925, relating to the Waco State Home, formerly known as the Home for Dependent and Neglected Children, so as to facilitate the administration of said Home and to provide for more effective training and care of children in need of it and for the placement of certain children of said Home in children's boarding homes at a rate not to exceed One Dollar (\$1) per day for each child so boarded; limiting the number of children to be boarded; provided that such homes shall be licensed by the Division of Child Welfare, State Board of Control; retaining with said superintendent control and custody of the child so placed as same exists with all other inmates of said Home; providing for removal from such boarding home upon complaint of the child; providing that children may be placed for adoption in homes approved by said Division of Child Welfare, State Board of Control; declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LEMENS, Chairman.

Senator Pace, by unanimous consent, submitted at this time the following report of the Committee on Mining, Irrigation and Drainage:

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 241, A bill to be entitled "An Act amending Article 6008, R. C. S. of Texas, as amended by Chapter 120, Acts of the Forty-fourth Legislature, Regular Session, providing for the use of sweet gas under certain conditions for the manufacture of carbon black; and providing for the use of sweet gas for the extraction of natural gasoline therefrom when the residue is returned to other oil or gas bearing horizons; and declaring an emergency,"

Have had the same under consideration, and we desire to report it back to the Senate with the recom-

mendation that it do pass and be printed.

PACE, Chairman.

Senator Winfield, by unanimous consent, submitted at this time the following report of the Committee on Banking:

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 564, A bill to be entitled "An Act amending Subdivision (b) of the first paragraph of Article 2529 of the Revised Civil Statutes of Texas of 1925, amended by Acts of 1937, Forty-fifth Legislature, page 319, Chapter 164, Section 1, so as to henceforth include within its provisions bonds issued by the Federal Farm Mortgage Corporation provided both principal and interest of said bonds are guaranteed by the United States Government; declaring that all laws in conflict herewith are hereby repealed; fixing the effective date of this Act; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WINFIELD, Chairman.

Bill and Resolution Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bill and resolution:

H. B. No. 194, "An Act authorizing the State Board of Barber Examiners to approve agreements, fixing minimum prices for barber services and establishing opening and closing hours for barber shops; fixing territorial units for voting such agreements; providing for orders of the Board to remain in effect until replaced by new agreements; providing for the State Board to adopt and enforce rules and orders necessary to administer the Act; providing for the posting of rules or orders; prohibiting the advertising of prices; providing for practice and procedure of the Board with respect to investigations; providing for treatment by

the Board of violations of this Act; providing for the Board to administer the provisions of this Act; regulating barber schools or barber colleges; providing for fine or imprisonment for violation of the provisions of this Act; providing for the suspension or revocation of licenses by the Board; and providing for appeal from action of the Board; providing for the payment of expenses of administration of this Act; providing for fees for permits and placing such fees in a special enforcement fund; providing that the provisions of this Act shall be cumulative; providing a saving clause; repealing all laws in conflict herewith and declaring an emergency."

H. C. R. No. 91, Recalling House Bill No. 683 from the Governor.

House Bill 564 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 564, A bill to be entitled "An Act amending Subdivision (b) of the first paragraph of Article 2529 of the Revised Civil Statutes of Texas of 1925, amended by Acts of 1937, Forty-fifth Legislature, Page 319, Chapter 164, Section 1, so as to henceforth include within its provisions bonds issued by the Federal Farm Mortgage Corporation provided both principal and interest of said bonds are guaranteed by the United States Government; declaring that all laws in conflict herewith are hereby repealed; fixing the effective date of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 564 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 564 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalf	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield
Redditt	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 461 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 461, A bill to be entitled "An Act providing for the amount of salary that may be paid by County Boards of Trustees to the County Superintendent of Public Instruction in counties with a population of not less than eighteen thousand, seven hundred and sixty (18,760) and not more than eighteen thousand, nine hundred and sixty (18,960), according to the last preceding Federal Census; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Senator Sulak offered the following amendments to the bill:

(1)

Amend H. B. No. 461 by striking

out in line six (6) of Section 1, the words and figures: "Two Thousand, Four Hundred Dollars (\$2,400.00)" and insert in lieu thereof the following: "One Thousand Nine Hundred (\$1,900.00) Dollars".

(2)

Amend H. B. No. 461 by striking out in line seven (7) of Section 1 the words and figures: "Three Thousand Dollars (3,000.00)" and insert in lieu thereof the following: "Two Thousand, Four Hundred (\$2,400.00) Dollars".

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 461 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 461 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Head
Beck	Hill
Brownlee	Isbell
Burns	Kelley
Collie	Lanning
Cotten	Lemens
Graves	Martin
Hardin	Metcalf

Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield
Spears	

House Bill 240 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 240, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than six thousand seven hundred fifty (6,750) and not more than six thousand eight hundred fifty (6,850) inhabitants, whether organized under General or Special Laws; repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 240 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 240 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 594 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 594, A bill to be entitled "An Act to amend Chapter 2 of Title 128 of the Revised Civil Statutes of 1925, so as to provide for dividing Water Improvement Districts organized or operating under said Chapter, when such Districts are operating under contract with the Department of the Interior of the Government of the United States, into districts for the election of directors thereof; and requiring directors thereof to be owners of land subject to taxation in the district from which they are elected; and to provide for the election of such directors by the voted of the qualified electors of the whole irrigation district; and to provide penalties if any person shall fail or refuse to pay the taxes or water charges imposed upon him, or upon his property, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 594 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 594 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 526 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 526, A bill to be entitled "An Act authorizing the Commissioner of agriculture of this State to establish and maintain quarantine regulations in order to prevent the introduction into or the spread within this State of pests and diseases for the protection of agricultural industry of this State and to provide for the inspection of things and plants with reference to such quarantine, requiring persons to notify the Commissioner of Agriculture of the arrival of such things and plants against which a quarantine has been established and to hold them for inspection,

and providing for the disposal of such infected things or plants by the Commissioner of Agriculture and further providing the manner of declaring such quarantines and providing for investigation by the Commissioner of Agriculture in order to determine the existence of such pests and diseases and authorizing him to declare and enforce quarantine in order to prevent the spread thereof, and declaring an emergency."

The bill was read second time.

On motion of Senator Weinert, the bill was tabled subject to call.

House Bill 866 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 866, A bill to be entitled "An Act to provide for traveling expenses for members of the Commissioners Courts in certain counties, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 866 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 866 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 482 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 482, A bill to be entitled "An Act providing a closed season during the months of January, February, March and April for taking or attempting to take fish in Uvalde and Zavala Counties; prohibiting the taking of minnows in Uvalde and Zavala Counties for commercial purposes; repealing all laws insofar as they conflict with this Act, providing a suitable penalty, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 482 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalf
Graves	Moffett
Hardin	Moore
Head	Nelson
Hill	Pace

Redditt	Stone
Roberts	of Washington
Shivers	Sulak
Small	Van Zandt
Spears	Weinert
Stone	Winfield
of Galveston	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 84 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 84, A bill to be entitled "An Act so as to make it unlawful for any person to place, set, drag or use any seine, net or other device for taking fish and shrimp other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, set line or cast net with a spread of not more than nine (9) feet, or a minnow seine of not more than twenty (20) feet in length for catching baits or have in his possession any seine, net or trawl without a permit issued by the Game, Fish and Oyster Commission, in or on the waters of Matagorda Bay east of the Colorado River, providing for the use of spear or gig and light for taking flounder in these waters, repealing all laws or parts of laws in conflict herewith; providing when this Act shall take effect; providing for confiscation of nets, seines and other tackle for evidence and providing for penalties, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 84 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 84 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 36, Suspending all rules of the House and Senate for Thursday afternoon, April 13th, beginning at 2:00 o'clock, to permit Senate to consider both Senate and House Bills appearing on local and non-contested calendar.

The House has concurred in Senate amendments to H. B. No. 97 by a viva voce vote.

The House has concurred in Senate amendments to H. B. No. 166 by a vote of 119 yeas and 1 no.

The House has adopted the Conference Committee Report on H. B. No. 374 by a vote of 110 yeas and 1 no.

The House refused to concur in Senate amendments to H. B. No. 5 and has requested the appointment of a conference committee to consider the differences between the two Houses. The following are appointed as conferees on part of the House: Smith of Frio, Gordon, Isaacks, Russell, Al-lison.

The House has passed H. B. No. 908, A bill to be entitled "An Act to provide revenues for the purposes set out herein designated as social security taxes, such taxes to be levied upon transactions, services, activities, and natural resources as set out by the provisions of this Act; providing for severance taxes in certain instances, making certain exemptions; defining the terms 'person', 'sale', 'tangible personal property' and 'sale for industrial purposes'; providing that the Comptroller of Public Accounts shall collect the taxes levied herein and pay the same to the State Treasurer; providing that the State Treasurer shall open and maintain certain special funds; providing for the transfer from the Texas Old Age Assistance Fund to the Destitute Children's Assistance Fund of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars; providing for the transfer from the Texas Old Age Assistance Fund to the Teachers' Retirement Fund of an amount adequate to meet obligations for the period set out herein; providing that old age assistance, destitute children's assistance, teachers' retirement benefits and needy blind assistance and the

State's administration thereof shall be paid exclusively from the revenue derived from the taxes herein levied and providing that no further taxes shall be levied for such purpose; making provisions relative to any deficit that may exist in the Old Age Assistance Fund; providing that the taxes levied herein are in addition to all other taxes that are now or may hereafter be levied; prohibiting cities or other political subdivisions of the State from levying occupation taxes or charges upon any person engaged in business in which the sales or service transactions are taxed under this Act and making certain exceptions; providing the effective date of this Act; repealing all laws or parts of laws in conflict herewith, and providing a saving clause."

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

House Bill on First Reading

The following bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 908, to Committee on State Affairs.

House Bill 481 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 481, A bill to be entitled "An Act providing regulations for the use of seines and nets, for the removal of rough fish from the waters of Zavala County; repealing all laws in conflict with this Act; providing a suitable penalty for violation of this Act, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 481 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 481 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 814 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 814, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn or wild turkeys in Young and Jack Counties for a period of four (4) years from and after the passage of this Act; providing for the protection of crops and gardens being destroyed by deer; providing a penalty therefor, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 814 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 814 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 823 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 823, A bill to be entitled "An Act to amend Subsection (h) of Section 19, Chapter 465, of the Acts

of the Forty-fourth Legislature, Second Called Session, by adding thereto a proviso applying in counties having a population of more than 355,000, according to the last preceding Federal Census fixing the limits of the salaries to be paid deputies, assistants, and employees of district, county and precinct officers, defining heads of departments, providing for the manner and means of employment, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 823 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 823 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Martin
Cotten	Metcalf
Graves	Moffett
Hardin	Moore
Head	Nelson
Hill	Pace

Redditt	Stone
Roberts	of Washington
Shivers	Sulak
Small	Van Zandt
Spears	Weinert
Stone	Winfield
of Galveston	

House Bill 824 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 824, A bill to be entitled "An Act providing that in all counties containing a population of 355,000 or more inhabitants, according to the last preceding or any future Federal Census, the Commissioners' Court of each of such counties shall make a reasonable allowance, not to exceed Fifty (\$50.00) Dollars a month, each Justice of the Peace for the operation of automobiles in connection with their official business, when such Justice of the Peace sits in a court maintained in the courthouse at the county seat of each of such counties, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 824 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 824 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 874 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 874, A bill to be entitled "An Act to amend Subsection E of Section 2, of Article 3912e-2, Revised Civil Statutes of Texas, being House Bill No. 165, Acts, 1937, Forty-fifth Legislature, Regular Session, Chapter 81, page 151, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 874 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 874 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalfe
Hardin	Moffett
Head	Moore

Nelson	Stone
Pace	of Galveston
Redditt	Stone
Roberts	of Washington
Shivers	Sulak
Small	Van Zandt
Spears	Weinert
	Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 822 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 822, A bill to be entitled "An Act to amend Article 7252, Revised Statutes, 1925, authorizing the assessor and collector of taxes to appoint deputies to assist him in the assessment and collection of taxes; providing for bonds from such deputies; providing that the assessor and collector shall be liable for the Acts of such deputies; and authorizing the deputies to perform the duties imposed and required by law of the assessor and collector of taxes; and providing that in counties having a population of 355,000 or more, according to the last preceding Federal Census the assessor and collector may apply to the Commissioners' Court for the appointment of special deputies having technical training or qualified by experience in order to obtain valuations and perform technical duties and authorizing the application for clerical,

accounting, and stenographic assistants in connection therewith and providing for a special head for the automobile division of said offices, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 822 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 822 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 587 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 587, A bill to be entitled "An Act providing the amount of traveling expenses that shall be allowed by the County Board of Trustees to the County Superintendent of Public Instruction for expenditures for traveling expenses in certain counties, according to the last preceding Federal Census or any subsequent Federal Census; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 587 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 587 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Hill

Isbell
Kelley
Lanning
Lemens
Martin
Metcalf
Moffett
Moore
Nelson
Pace
Redditt
Roberts

Shivers
Small
Spears
Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

House Bill 867 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 867, A bill to be entitled "An Act providing that in counties having a population of not less than twenty-two thousand, one hundred (22,100) and not more than twenty-two thousand, six hundred (22,600), according to the last preceding Federal Census, the County Judge may appoint a court stenographer to be called and known as the Official Court Reporter of the County Court; providing that the person appointed by said County Judge shall be approved by the Commissioners' Court of the county in which appointed; to define and describe the duties of such Court Reporter and fix the compensation and tenure of office; prescribing the fund from which the salary is to be paid, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 867 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 867 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Head	Pace
Hill	Redditt
Isbell	Roberts

Shivers	Stone
Small	of Washington
Spears	Sulak
Stone	Van Zandt
of Galveston	Weinert
	Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 840 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 840, A bill to be entitled "An Act prohibiting the setting of any steel trap, snare or deadfall in certain counties for the purpose of taking any fur-bearing animals for a period of two (2) years; providing certain exemptions; repealing all laws insofar as they conflict with this Act; providing a penalty for violation of this Act."

The bill was read second time and was passed to third reading.

House Bill 840 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 840 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 845 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 845, A bill to be entitled "An Act making it unlawful to take or kill any wild fox in the Counties of Young and/or Jack for a period of two years; making exceptions thereof; prescribing penalty for violation of this Act, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 845 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 845 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 889 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 889, A bill to be entitled "An Act making it unlawful to take any fish from any of the fresh water lakes, rivers, bayous, sloughs, and/or any other fresh waters in Jack County, Texas, by the use of any hoop, nets, and/or barrel nets; prescribing penalties for such unlawful taking; repealing all laws and parts of laws to the extent of the conflict only, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 889 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 889 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 202 on Second Reading

On motion of Senator Aikin and by unanimous consent, Senate rule 48 was suspended, and the regular order of business was suspended, to permit consideration of H. B. No. 202 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 202, A bill to be entitled "An Act to amend Sec. 1 of Art. 2351A of the Revised Civil Statutes, the same being House Bill No. 427, Acts 1937, of the Forty-fifth Legislature, Regular Session, by provid-

ing for the addition thereto of counties having not less than 48,500 and not more than 49,000 population."

The bill was read second time and was passed to third reading.

House Bill 202 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 202 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 881 on Second Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 881 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

On motion of Senator Collie, and by unanimous consent, Senate rule 48 was suspended, to permit consideration of H. B. 881 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 881, A bill to be entitled "An Act creating and establishing Callahan County Road District No. 1-A in Callahan County, Texas, under Article III, Section 52, of the Constitution for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district;

providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the district hereby created is also included in another road district having outstanding bonds shall not affect the district hereby created or its powers hereby granted; determining that all of the lands in said district will be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 881 on Third Reading

The President then laid H. B. No. 881 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 882 on Second Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 882 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

On motion of Senator Collie and by unanimous consent, Senate rule 48 was suspended, to permit consideration of H. B. No. 882 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 882, A bill to be entitled "An Act creating and establishing Callahan County Road District No. 2 in Callahan County, Texas, under Article III, Section 52, of the Constitution for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the district; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that a portion of the district hereby created is also included in another road district having outstanding bonds shall not affect the district hereby created or its powers hereby granted; determining that all of the lands in said district shall be benefited by additional road improvements; providing that the provisions of this Act

shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; repealing House Bill No. 349, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 882 on Third Reading

The President then laid H. B. No. 882 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Bill 876 on Second Reading

On motion of Senator Lanning and by unanimous consent, Senate rule 48 was suspended, to permit consideration of H. B. No. 876 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 876, A bill to be entitled "An Act fixing the compensation for County Commissioners in certain counties, providing the manner of payment and prescribing the funds from which it shall be paid, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 876 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 876 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Concurrent Resolution 73

The President laid before the Senate for consideration at this time:

H. C. R. No. 73, Authorizing R. O. Drake to bring suit against the State Highway Department.

The resolution was read and was adopted.

House Bill 236 on Second Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 236 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

On motion of Senator Collie and by unanimous consent, Senate Rule 48 was suspended, to permit consideration of H. B. No. 236 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 236, A bill to be entitled "An Act authorizing the Commissioners' Court in each county in this State having a population of not less than thirty-four thousand (34,000) nor more than thirty-four thousand two hundred (34,200), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 236 on Third Reading

The President then laid H. B. No. 236 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 913 on Second Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 913 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

On motion of Senator Redditt and by unanimous consent, Senate Rule 48 was suspended, to permit consideration of H. B. No. 913 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 913, A bill to be entitled "An Act providing for more adequate and equitable salary for County Superintendents of Public Instruction

in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having not less than forty-three thousand, one hundred twenty-five (43,125), and not more than forty-three thousand, two hundred (43,200), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the General Law, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 913 on Third Reading

The President then laid H. B. No. 913 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

House Concurrent Resolution 52

The President laid before the Senate for consideration at this time:

H. C. R. No. 52, Granting N. A. Moore permission to sue the State of Texas.

The resolution was read and was adopted.

House Bill 883 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 883, A bill to be entitled "An Act to amend Article 6704 of the Revised Civil Statutes of Texas by adding thereto a new subdivision to be known as subdivision 4, permitting,

empowering and authorizing the Commissioners' Court of any county containing a population of not less than five thousand, six hundred ninety (5,690) nor more than five thousand, seven hundred fifty (5,750), according to the last preceding Federal Census, to construct cattle guards on any or all of the first class, second class, or third class roads within their respective counties in accordance with plans and specifications prepared and approved by the Commissioners' Court of said County, and further permitting, authorizing and empowering said Commissioners' Court to construct said cattle guards on any such roads and pay therefor out of the road and bridge funds of said County and making it a penal offense for anyone to construct any cattle guard on such roads not in accordance with said approved plans and specifications as prepared and approved by said Commissioners' Court; providing a suitable penalty therefor, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 883 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 883 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 365 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 365, A bill to be entitled "An Act authorizing the Commissioners' Court of any county having a population of not less than four thousand, six hundred and thirty-seven (4,637) and not more than four thousand, seven hundred (4,700) inhabitants, according to the last preceding Federal Census, to allow each County Commissioner the sum of Twenty-five (\$25.00) Dollars per month for traveling expenses; providing for the source of payment of such expenses, and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 365 on Third Reading

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 365 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalfe
Hardin	Moffett
Head	Moore

Nelson	Stone
Pace	of Galveston
Redditt	Stone
Roberts	of Washington
Shivers	Sulak
Small	Van Zandt
Spears	Weinert
	Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Senate Bill 266 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 266 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 266, A bill to be entitled "An Act making an appropriation for the use of the Guadalupe-Blanco River Authority, providing that it shall be repaid to the State of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 266 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 266 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Nelson
Brownlee	Pace
Burns	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—2

Beck	Collie
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Absent

Hill	Sulak
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House Bill 824 on Final Passage

Senator Moore moved to reconsider the vote by which H. B. No. 824 was passed.

The motion prevailed.

The President laid the bill before the Senate on its final passage.

Senator Moore offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 824 by striking out Section 1 thereof and inserting the following:

"Section 1. In all counties containing a population of three hundred and fifty-five thousand (355,000) or more inhabitants, according to the last preceding Federal Census, the Commissioners' Court of each of such counties may make a reasonable allowance, not to exceed Fifty Dollars (\$50.00) a month for the operation of the automobiles in connection with his official duties, to be paid from the General Fund of each of such counties to each Justice of the Peace, whose courtroom is located in the County Courthouse at the County Seat of each of such counties, in addition to any and all other expenses now authorized by law to be defrayed by such counties for such Justices of the Peace."

(2)

Amend the caption by striking out the word "shall" and inserting in lieu thereof the word "may".

The amendments were adopted severally.

The bill was passed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

House Bill 868 on Second Reading

On motion of Senator Beck and by unanimous consent, Senate rule 48 was suspended, and the regular order of business was suspended, to permit consideration of H. B. No. 868 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 868, A bill to be entitled "An Act validating the creation or attempted creation of all consolidated rural high school districts and all acts of the Board of Trustees of such districts in ordering and holding elections, levying taxes, issuing bonds and all tax assessments and rolls of such districts and all bonds and all other actions by the Boards of Trustees in this connection, providing that this Act shall not apply to districts now involved in litigation, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 868 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 868 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Hill

Isbell	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield
Roberts	

House Bill 365 on Final Passage

Senator Lemens moved to reconsider the vote by which H. B. No. 365 was passed.

The motion prevailed.

The President laid the bill before the Senate on its final passage.

Question—Shall the bill be passed?

Adjournment

Senator Brownlee moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 3:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTIETH DAY

(Thursday, April 13, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

A quorum was announced present.